

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DENEEN MALLON : CIVIL ACTION
Plaintiff :
: NO. 14-4964
v. :
: CAROLYN W. COLVIN, Acting :
Commissioner of Social Security :
Defendant :
:

O R D E R

AND NOW, this 3rd day of May 2016, upon a careful and independent consideration of the record and of the *Report and Recommendation* issued on April 15, 2016, by the Honorable Elizabeth T. Hey, United States Magistrate Judge,¹ [ECF 10], this Court finds that the record (a) reveals that the Commissioner did not apply correct legal standards and (b) does not contain substantial evidence to support the Administrative Law Judge's ("ALJ") findings of fact and conclusions of law. Therefore, it is hereby **ORDERED** that:

1. The *Report and Recommendation* is **APPROVED** and **ADOPTED**.
2. Judgment is entered **REVERSING** the decision of the Commissioner of Social Security for the purposes of this remand *only*, and the relief sought by Plaintiff is **GRANTED**, *in part*, to the extent that the matter is **REMANDED**, pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings before a different ALJ consistent with this adjudication.
3. The Clerk of Court is directed to mark this matter **CLOSED**.

BY THE COURT:

/s/ Nitzia I. Quiñones Alejandro
NITZIA I. QUIÑONES ALEJANDRO
Judge, United States District Court

¹ Neither Plaintiff nor the Acting Commissioner filed an objection and/or response to the *Report and Recommendation*.